	United St	ATES DISTRICT COURT
		District of DELAWARE
ι	JNITED STATES OF AMERICA	
	v.	ORDER OF DETENTION PENDING TRIAL
	RASHEEM DOLLARD,	Case Number: 08-117-M
	Defendant cordance with the Bail Reform Act, 18 U.S.C. § 314 of the defendant pending trial in this case.	2(f), a detention hearing has been held. I conclude that the following facts require the
		art I—Findings of Fact
	or local offense that would have been a federal offer a crime of violence as defined in 18 U.S.C. § 3 an offense for which the maximum sentence is	ife imprisonment or death.
{	an offense for which a maximum term of impris	onment of ten years or more is prescribed in
(3)	§ $3142(f)(1)(\Lambda)$ -(C), or comparable state or local fine offense described in finding (1) was committed A period of not more than five years has elapsed sin for the offense described in finding (1). Findings Nos. (1), (2) and (3) establish a rebuttable	had been convicted of two or more prior federal offenses described in 18 U.S.C. al offenses. while the defendant was on release pending trial for a federal, state or local offense. ce the date of conviction release of the defendant from imprisonment presumption that no condition or combination of conditions will reasonably assure the further find that the defendant has not rebutted this presumption.
		Alternative Findings (A)
	There is probable cause to believe that the defendan	t has committed an offense ten years or more is prescribed in21 USC § 841
X (2)	under 18 U.S.C. § 924(c).	olished by finding 1 that no condition or combination of conditions will reasonably assur
	•	Alternative Findings (B)
	There is a serious risk that the defendant will not ap There is a serious risk that the defendant will endan	
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	Part II—Writte	n Statement of Reasons for Detention
	that the credible testimony and information submit f the evidence that	ted at the hearing establishes by \square clear and convincing evidence \square a prepon-
hearing, a failed to r	and the affidavit supporting the complaint and the even	evided by the probation office as well as the parties by proffer during the detention vidence elicited during the preliminary hearing, the Court finds that the Defendant has of conditions could reasonably assure the safety of the community between now and Court events in this matter.
The during the		ollowing findings and for the following reasons, as well as for the reasons announced
firea walk offic from rock Offi Mare even	rm by a previously-convicted felon. On July 11, 20 ting. After Defendant saw the officers' marked policers saw Defendant remove a firearm from his waist them. After he was apprehended and searched, off like white substance, weighing 5 grams (a distribute ters recovered from the rooftop a loaded Taurus PT ch 2004 in Delaware Superior Court of the felony of tually admitted to possession of the firearm.	accused of possession with intent to distribute cocaine base and possession of a 108, law enforcement officers responding to a call of gunshots observed Defendant ce vehicle, he began to act nervously, including by changing direction repeatedly. Two band and toss it onto a rooftop. When the officers asked to speak to Defendant, he ran icers found in Defendant's right front pants pocket a single baggie containing a able quantity, equal to approximately 25 doses), that field tested positive for cocaine. 138 Millennium .380 ACP, which was made in Brazil. Defendant was convicted in ffense of Possession with Intent to Deliver a Controlled Substance. Defendant
	intent to distribute cocaine base, there is at least pro-	

♠ AO 472 (Rev. 12/03) Order of Detention Pending Trial

the history and characteristics of the Defendant: Defendant has the one prior drug distribution felony already referred to, as well as two violations of probation and two failure to appear capiases. On the other hand, he is a lifelong resident of Delaware and has the support of many family and friends, quite a few of whom were present at the hearing. For instance, Defendant's former employer is willing to rehire him to work on clean-up of construction sites; a friend is willing to post the deed to her home on his behalf; and his mother is willing to raise several thousand dollars to post as bond as further assurance that Defendant will comply with release conditions. Defendant has some history of substance abuse, for which he apparently received treatment at some point.

the nature and seriousness of the danger to the community that would be posed by the Defendant's release: prior convicted felons possessing firearms to use in furtherance of distributing illegal drugs pose a substantial danger to the community.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

JULY 15TH, 2008

Date

Signature of Judge

Hon. Leonard P. Stark

Name and Title of Judge

^{*}Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).